

Cal/EPA Environmental Justice Action Plan
DTSC Pilot Project Update for Illegal Drug Lab Risk Reduction Project
October 13, 2005

I. Lead Agency: Department of Toxic Substances Control (DTSC)

II. Project Area: A community within the East Bay Area (e.g., the City of Hayward or the City of Oakland). If no suitable location is identified in the preferred area, DTSC will look to neighboring locations (e.g., Santa Clara County). DTSC will coordinate the development of a community-based Local Advisory Group (LAG) that will include interested or affected community members, environmental advocates, local regulatory agencies and city, county and State agency representatives.

Area Demographics:

- Hayward: 11% African-American; 19% Asian; 34% Hispanic or Latino (of any race); 43% White; 25% under the age of 18; median household income: \$51,000; below poverty level: 7%
- Oakland: 36% African-American; 15% Asian; 22%; Hispanic or Latino (of any race); 31% White; 25%; under the age of 18; median household income \$44,000; below poverty level: 19%

III. Project Start Date: May 2005.

IV. Project Summary: This project will result in the development of guidelines and recommendations for the recognition and remediation of methamphetamine-contaminated residential structures consistent with the requirements of newly-enacted State laws, i.e., AB 1078 (Keene, Liu) and SB 536(Bowen). Among other things, those measures require that affected persons receive notice of confirmed drug lab activity, and that drug lab cleanups follow procedures prescribed by DTSC. Consistent with those requirements, this project will test the effectiveness of different agents in the cleaning and encapsulation of hazardous substances that occur on selected surfaces in methamphetamine-contaminated residences and that pose a direct contact threat to children.

V. Status of Progress: Meetings of the LAG were held on July 6, 2005 and September 28, 2005. The LAG initially comprises technical stakeholders who assisted in developing the technical work plan. When a specific project site is identified, the existing LAG will be expanded to include community members living near the chosen site.

The LAG will play a significant role in developing various educational materials to result from this project. The information will be made available to public agencies, realtors, landlords, prospective purchasers and renters, and to the general public to assist them in making informed decisions about properties formerly used as illegal methamphetamine labs.

Activities Accomplished:

- Conducted internal DTSC team meetings.

- Identified potential LAG members and schedule for the initial meeting.
- Developed and mailed invitational letter to potential LAG members.
- Called to confirm LAG participation.
- Conducted first LAG meeting on July 6, 2005 at DTSC's Berkeley office.
- Developed and disseminated of project work plan to LAG members.
- Conducted second LAG meeting on September 28, 2005 at DTSC's Berkeley office.

Future Activities:

- Coordinate with local, State, and federal law enforcement officials to identify suitable methamphetamine lab project sites
- Enter into rental/lease agreements with owners of property where the research will be conducted
- Expand the LAG to include members of the communities in which the selected sites occur
- Develop Children's Environmental Risk Reduction Plan (ChERRP)
- Develop educational fact sheets and guidance documents, and complete the final project report

VI. Challenges: The seizure of a suitable methamphetamine lab in the preferred project area is not assured. If no suitable site is located in the East Bay Area by January 31, 2006, DTSC will need to consider a site outside the preferred project area if the project is to be completed by December 2006 as planned. Finding an owner willing to allow his or her property to be used for the purpose and duration of this project may be difficult. Funding for the project is not a challenge because SB 536 (Bowen), signed into law October 6, 2005 and effective January 1, 2006, authorizes DTSC to expend monies from the Illegal Drug Lab Cleanup Account for the purpose of investigating and developing methods for the cleanup of illegal drug labs.

VII. Addressing Cumulative Impacts: Reducing exposures to contaminants associated with the illegal manufacturing of methamphetamine will reduce the cumulative impact of all chemical exposures that may occur. This project will test the effectiveness of selected agents in reducing levels of contaminants remaining at sites used for the production of methamphetamine. If the levels of contaminants are reduced, exposures to those contaminants from that source will necessarily decrease and the cumulative impact of all exposures affected persons may have will therefore be reduced.

VIII. Addressing Precautionary Approach: The educational materials produced by this project will enable individuals and communities to recognize drug lab activity and identify associated contaminants. The materials will also provide affected individuals and communities with information about the appropriate steps to take when contamination is suspected or confirmed. To minimize exposures to drug-related chemicals and reduce the cumulative impacts of all exposures, the application of these guidelines will be recommended as a precautionary measure prior to the execution of any rental or lease agreement, and as part of every real estate transfer. DTSC will work with the LAG to identify and implement other ways in which the

precautionary approach can be applied to mitigate problems associated with inhabiting former drug lab sites.

IX. Original Proposed Project End Date: December 2006

- X. Revised Project End Date & Explanation of Delay in Timeline:** DTSC intends to complete this project by December 2006 as originally planned. The research phase of the project cannot begin until a drug lab seizure occurs and the property owner agrees to allow DTSC to use the home to carry out this project. The LAG has agreed that if a seizure does not occur in the East Bay Area by January 31, 2006, DTSC should consider using seized drug labs or abandoned drug lab properties in neighboring communities.

XI. For More Information

Please direct comments & questions to:

Norman Riley

Chief, Emergency Response & Statewide Operations, DTSC

nriley@dtsc.ca.gov

(916) 255-3657